MGN

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.7660 of 2005

Shri Bahusaheb Shivshankar Dhavan..Petitioner

Vs.

The State of Maharashtra & Ors.....Respondents

Nr.S.A. Kumbhakoni, for the Petitioners.
Mrs. S.S.Bhende, AGP for Respondent 1 and 2.

CORAM : F.I. REBELLO &
R.M.SAVANT, JJ.
DATED : 13TH MARCH, 2007.

P.C.

. The petitioner resigned from service. Once he has so resigned the entire service is forfeited in terms of M.C.S. Rules and the petitioner is not entitled to any pension. The learned Counsel seeks to rely on the judgment in M/s.J.K. Cotton Spinning and Weaving Mills Company Ltd., Vs.State of Up.P. & Ors.. AIR 1990 SC 1808. The expressions "retrenchment" and "Termination" have been considered in the context of Industrial Law and not in the context of M.C.S. Rules. That judgment would be of no assistance considering the Rule being provided for forfeiture of service. Considering the above, no interference called for. Petition rejected.

(**F.I.REBELLO**, J)

(**R.M.SAVANT,J**.)